

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

<b>NAYA L. ABBEY &amp;</b>	)	
<b>DAVID IMMANUEL HERNANDEZ,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	<b>No. 3:23-cv-0300</b>
<b>v.</b>	)	<b>Judge Crenshaw</b>
	)	<b>Magistrate Judge Holmes</b>
<b>METROPOLITAN GOVERNMENT OF</b>	)	
<b>NASHVILLE AND DAVIDSON</b>	)	
<b>COUNTY and TERRANCE D.</b>	)	
<b>STUCKEY,</b>	)	
	)	
<b>Defendants.</b>	)	

**OFFICER STUCKEY AND THE METROPOLITAN GOVERNMENT OF  
NASHVILLE AND DAVIDSON COUNTY'S MOTION TO STAY**

Defendants, Officer Terrance Stuckey and the Metropolitan Government of Nashville and Davidson County move to stay discovery in this matter until the pending qualified immunity issues are fully and finally resolved. Officer Stuckey has moved to dismiss the claims against him based on qualified immunity. As outlined in the accompanying memorandum of law because qualified immunity is a defense from suit (not merely a defense from liability), the immunity is effectively lost if discovery proceeds absent resolution of the qualified immunity issue. Additionally, to permit Plaintiff to take discovery from the Metropolitan Government would essentially create an end-run around any discovery stay as to Officer Stuckey. Thus, it is necessary to stay discovery as to all Defendants.

Respectfully submitted,

THE DEPARTMENT OF LAW OF THE  
METROPOLITAN GOVERNMENT OF  
NASHVILLE AND DAVIDSON COUNTY  
WALLACE W. DIETZ (#9949)  
DIRECTOR OF LAW

/s/Melissa Roberge

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been sent by U.S. Mail and electronic mail to:

Naya L. Abbey  
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ihavethevictorynow@gmail.com

on this the 7<sup>th</sup> day of June, 2023.

/s/ *Melissa Roberge*  
Melissa Roberge